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I am writing in STRONG opposition to the following bills: **HB 6687, An Act Concerning Certificates Of Merit and SB 1154, An Act Concerning The Accidental Failure Of Suit Statute.**

Emergency departments are filled with individuals who cannot find a physician to care for them because they are uninsured or underinsured – or they are Medicaid beneficiaries and few physicians will accept the low rates paid by Medicaid. Throughout Connecticut, our emergency rooms are treating both those who have delayed seeking treatment because of inadequate or no coverage, and those who have no other place to receive care. It is imperative for legislators to oppose measures such as HB 6687 and SB 1154.

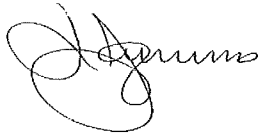
Connecticut law contains a requirement that a party, or the party's lawyer, perform and certify a pre-suit analysis to ensure that the claim is filed in good faith. This pre-suit process is documented by a "good faith certificate," along with a brief written explanation of the expert's review, stating that the expert believes that there appears to be evidence of medical negligence. Failure to include a good faith certificate with a complaint makes the claim subject to possible dismissal.

HB 6687, An Act Concerning Certificates Of Merit, would significantly weaken the good faith certificate process. The bill would dramatically expand the types of professionals permitted to give pre-suit expert opinions to include any person who might be deemed an expert at the time of trial, not experts who, as similar healthcare providers, necessarily have the same specialty or training as the defendant. Such a change would roll back important decisions that this legislative body made in 2005—decisions that created objective criteria for expert qualifications currently used for pre-suit good faith letters. This bill would replace a well-reasoned and balanced system with one that would instead depend on the plaintiff's attorney's subjective assessment of who is a qualified expert. I implore that you preserve this essential element of the pre-complaint inquiry by opposing HB 6687.

In addition, **SB 1154, An Act Concerning The Accidental Failure Of Suit Statute**, would move us further away from realizing the intended goals and

impact of the 2005 reform measures because it will dilute, and perhaps eliminate, the force of the good faith certificate law by its express inclusion in Section 52-592. This should be opposed because making all failures to comply with the good faith certificate automatically curable as "accidental failures of suit" will render the entire good faith certificate law useless. SB 1154 is essentially an end run around Section 52-190a. The measures implemented in 2005, which require a meaningful, pre-suit inquiry, should not be dismantled. I respectfully urge you to oppose HB 6687 and SB 1154. Thank you for your consideration of my positions.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "H. J. ...", written in black ink.